

RECEIVED
SOUTHERN DISTRICT OF NEW YORK
2022 DEC -7 AM 9:35UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKJacinda Brown

Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

Seneca County Jail

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Jacinda J Brown
 First Name Middle Initial Last Name
385 McDonald Ave Brooklyn Ny 11218 #308
 Street Address
Brooklyn NY 11218
 County, City State Zip Code
347 728-2088 JacindaBrown7716@gmail.com
 Telephone Number Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1: Schenckel County Jail
 Name
 4000 main street
 Address where defendant may be served
 Tray NY 12180
 County, City State Zip Code

Defendant 2: _____
 Name

 Address where defendant may be served

 County, City State Zip Code

Defendant 3:

 Name

 Address where defendant may be served

 County, City

State

Zip Code

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:

 Name *Menseslaer County Jail*

 Address *4000 main street*

 County, City *Tray*
State *NY*Zip Code *11218***III. CAUSE OF ACTION****A. Federal Claims**

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☐ **Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin**

The defendant discriminated against me because of my (check only those that apply and explain):

☒ race:☒ color:☐ religion:☒ sex:☒ national origin:

- ☒ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: Black

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: _____

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☒ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☒ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☐ terminated my employment
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☒ provided me with terms and conditions of employment different from those of similar employees
- ☒ retaliated against me
- ☒ harassed me or created a hostile work environment
- ☐ other (specify): _____

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? _____

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? 10/18/22

When did you receive the Notice? mail

☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

☐ direct the defendant to hire me

☐ direct the defendant to re-employ me

☐ direct the defendant to promote me

☐ direct the defendant to reasonably accommodate my religion

☐ direct the defendant to reasonably accommodate my disability

☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here):

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

12/7/2022
 Dated _____
Jacinda Brown J Brown
 First Name Middle Initial Last Name
385 McDonald's Ave
 Street Address
Brooklyn NY 11218
 County, City State Zip Code
(347) 728-2088 Jacinda.brown7716@gmail.com
 Telephone Number Email Address (if available)

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Buffalo Local Office**

300 Pearl Street, Ste. 450
Buffalo, NY 14202

Jacinda Brown
45 Riverwalk Way
Cohoes, NY 12047

Re: Brown v. Rensselaer County Jail
EEOC Charge No. 525-2022-01569

Dear Ms. Brown:

The Equal Employment Opportunity Commission ("Commission") has concluded its inquiry/investigation into your allegations of discrimination contained in the above-referenced charge. The Commission has implemented charge prioritization procedures to address the dual problem of our limited resources and growing charge inventory. Under Commission procedures, we focus our resources only on those charges that are most likely to result in findings of violations of the laws we enforce. In accordance with these procedures, the Commission has evaluated your charge based on the evidence provided.

In your charge, you alleged that you were discriminated against by Rensselaer County Jail ("Respondent") because of race in violation of Title VII of the Civil Rights Act of 1964 ("Title VII"). Specifically, you alleged that you denied equal terms and conditions of employment afforded others. You alleged that you were disciplined, forcing you to resign. You alleged that Respondent's actions were retaliatory.

Based upon the information provided, the Commission is unable to conclude that the evidence obtained establishes a violation of Title VII. Please be advised, the Commission has completed its processing of this charge and this charge will be dismissed. This does not certify that the Respondent is in compliance with the statutes. No finding is made as to any other issue that might be construed as having been raised by this charge. Included with this letter is your "Dismissal and Notice of Rights". Following this dismissal, you may only pursue your claims by filing a lawsuit against the Respondent. Your lawsuit must be filed within 90 days of receipt of this notice, or your right to sue based upon these allegations will be lost.

If you have any further questions, you may contact Investigator Jean E. Mulligan at (716) 431-5013.

Sincerely,

Maureen C. Kielt
Digitally signed by Maureen C. Kielt
Date: 2022.10.25 13:39:49 -04'00'

Maureen Kielt
Director

Enc.

Cc:

RENSSELAER COUNTY JAIL

c/o

Earl T Redding

Roemer Wallens Gold & Mineaux LLP

13 Columbia Circle

Suite 1

Albany, NY 12203

Please retain this notice for your records.

Jacinda 2

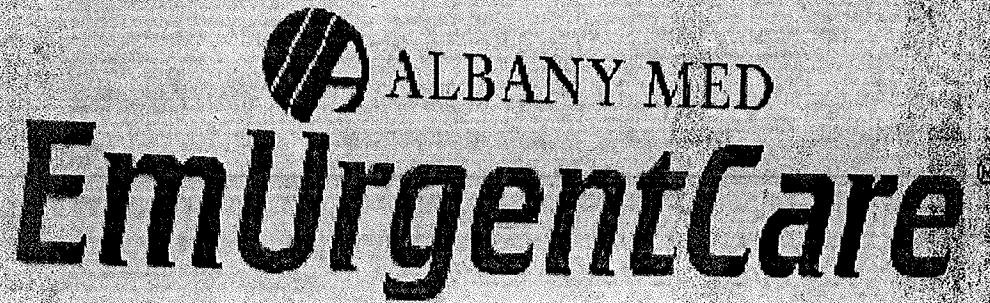
From: Jacinda Brown (jacindabrown7716@gmail.com)

To: healthwisex@yahoo.com

Date: Thursday, December 1, 2022 at 11:22 AM EST

My name is Jacinda Brown, it appears I have been discriminated against based on these actions Race, Gender, sexual orientation and National origin. I had to resign from my position at Rensselaer County Jail due to a Hostile work place and discrimination. Once I resigned payroll refused to pay me my last two checks, plus my vacation, personal and sick pay. When I asked about my pay and why I didn't receive it, they stated I had to pay for the academy I attended to obtain the job. Unbeknownst to me when I was hired they never mentioned this fact, there isn't anything on paper to specify this regulation either. When I separated from the Jail I was owed approximately \$7000. I was told to return the uniforms and my mail box key that was given to me during the beginning of my career. I was told once I returned the Jail property that I will receive my check. When I returned everything in perfect condition I was given a check for \$0.00. I believe given me a check for \$0.00 was done in retaliation. It appear to me that I was hired due to affirmative action, because there was no other black females hired not before or after my employment to my knowledge. It appears I messed their numbers up so they don't appear to be racially profiling during the hiring process. Due to not receiving any of the money owed to me I couldn't manage my bills and ended up in a Family shelter with my 6 year old daughter. My daughter and I currently reside in the Family Shelter. I'm trying my best to get out of this hardship situation that I was forced into. While working at Rensselaer County Jail I have made complaints about discriminative actions towards me regarding my race, they made commentary about my natural curl hair. I was the only black person in my academy class and I was forced to listen to derogatory lyrics with the word "NIGGER" in it during the academy class routine workouts. I made it clear that the song was offensive to me and I was told If I complained about the situation again that I would be let go from the position "Correctional Officer". I endured so much pain and suffering due to their actions against me. While working in the jail on the westside hallway post Officer Roy and Sgt Roberts walked passed my post and accused me of looking at Officer Roy private parts. The Officer and Sgt took it as far as spreading a rumor throughout the facility. After The Officer and Sgt left my post mins after I received a call from Officer Tammy T from staff dining. Tammy stated to me that she was told I was looking at Officer Roy private parts. During this phone conversation I could hear Sgt Roberts and Officer Roy in Tammy T background laughing. I told Officer Tammy T that I wasn't looking at Officer Roy private parts and I don't think their joke is funny. I identify as a lesbian. I brought this situation up to my union but due to all the nepotism in the jail nothing was done. On several occasions I was mandated to work double shifts because I was a female. The jail was short female Officers so when It was a male officer turn to work mandatory overtime I had to work the overtime instead even though I had seniority over the male officers because the jail didn't hire enough females. When Covid was at its highest peak my daughter became sick and I had a doctors note for her and myself to quarantine. Rensselaer County Jail excepted my doctors note then days later told me I will be suspended a year from that date when they are fully staffed for 30 days because my daughter was sick and not myself. My daughter doctor stated my note is good for myself and my daughter because she is a minor. The Jail failed to inform me that I came into contact with an officer that tested Positive for Covid for 5 days. The jail let me work for 5 days because they were short staff then put me out for the last 5 days when they received a letter from the health department that I were supposed to quarantine for 10 days. Due to me losing my home, career and ending up in a Family shelter all in one year. I'm now seeking therapy for my mental Health.

Sent from my iPhone



730 Hoosick Road
Brunswick, NY 12180
P: 518-264-9000
F: 518-731-9119

Locations are open from 9am to 9pm EVERY DAY of the year

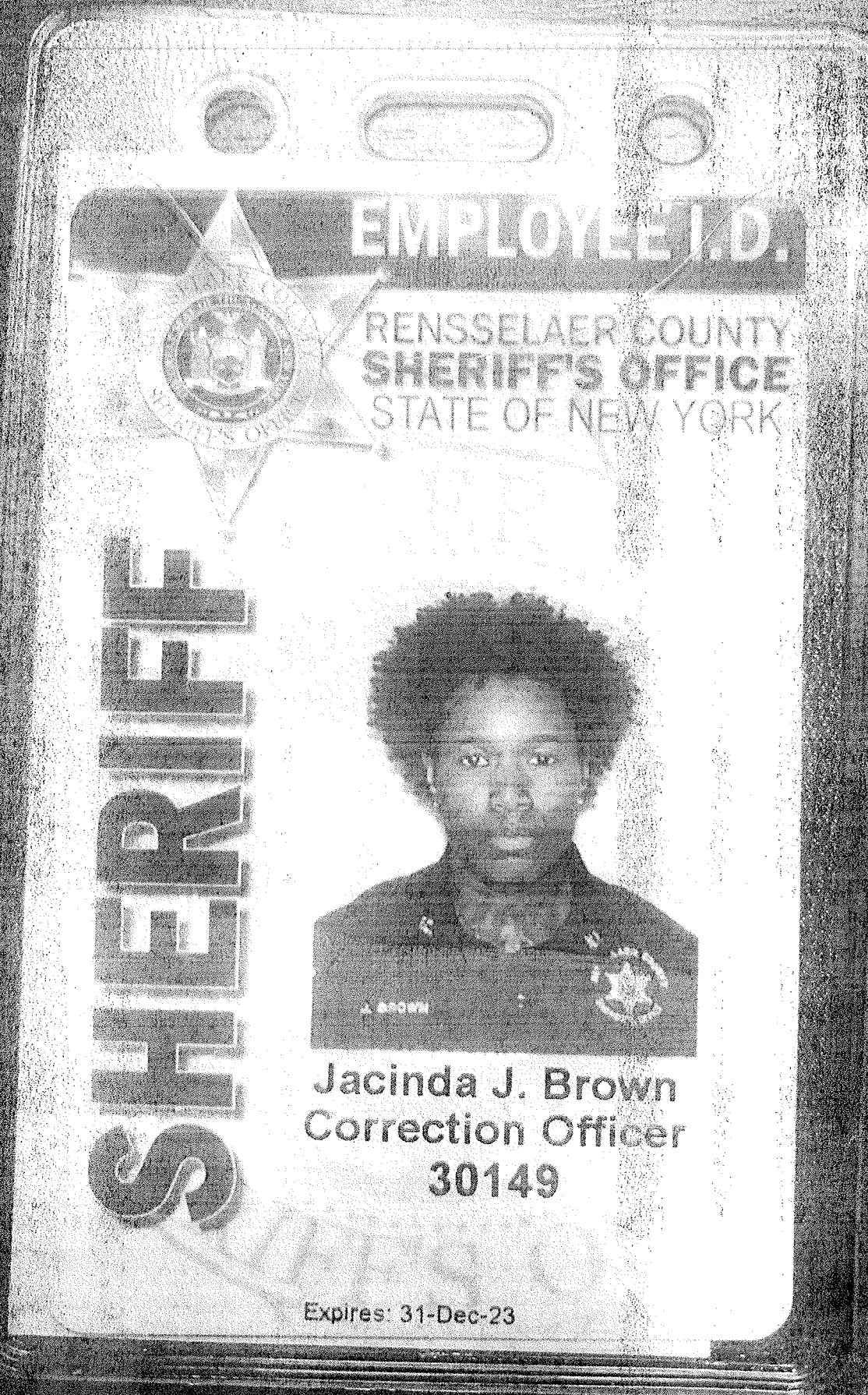
Monday December 27, 2021

To Whom It May Concern:

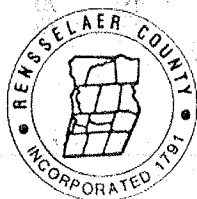
Justice J. Spence was seen on 12/27/2021 and tested for COVID-19 and is excused from school and/or work. Patient may return to school and/or work with an attached negative COVID test starting on the day of the resulted printout and patient has been fever free for 24 hours unless patient has received quarantine orders by DOH.

A handwritten signature in black ink, appearing to read 'S. Phillips'.

Electronically signed by Phillips, Samantha, PA



Steven A. McLaughlin
Fran Wachunas



**County Executive
Public Health Director**

To Whom It May Concern:

This letter is to inform you that **Jacinda Brown** is completing (or has completed) a **10 mandatory quarantine** due to being a **Contact** to a patient positive for COVID-19 infection, caused by the 2019 novel Coronavirus.

Jacinda is being monitored (or had been monitored) by the Rensselaer County Department of Health for possible complications due to the virus and symptoms from the date of last exposure. This mandatory quarantine is (or was) in place from **12/15/2021 through midnight 12/25/2021**.

We appreciate your cooperation and understanding during this time.

Best Regards,

Daniel A. McLaughlin

Rensselaer County Health Department

1600 7th Avenue

Troy NY, 12180

518-326-7407

KRONOS

View Accruals Summary

Today	0.0 Hour
Sick	0.0 Hour
Personal Holiday	0.0 Hour
Personal	40.0 Hour
Sick	36.0 Hour
Vacation	88.0 Hour

Projections

Accrual Type	Hour
Period Ending Balance	0.0

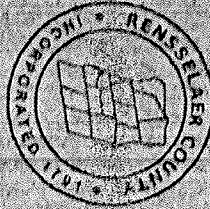


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RENSSELAER COUNTY
BUREAU OF FINANCE
1600 Seventh Avenue
Troy NY 12180

Bank of America (Pynl)
Bank of America Troy
59 3rd Street
Troy, NY 12180

Check No: 440904

Date
01/21/2022

Amount
\$0.00

Void after 120 Days

PAY Zero

TO
THE
ORDER
OF
Jacinda Brown
60 Cottage Street
Troy, NY 12180

Michael J S/asson

⑈440904⑈ ⑆021300019⑆ 9380728351⑈



THE FACE OF THIS CHECK IS PRINTED BLUE - THE BACK CONTAINS A SIMULATED WATERMARK